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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/694,718	10/29/2003	Lee Blackman		4027
Lee Blackman 601 Park Place Brooklyn, NY 11238				
7590 03/11/2009				
EXAMINER				
LE, THIEN MINH				
ART UNIT		PAPER NUMBER		
2887				
MAIL DATE		DELIVERY MODE		
03/11/2009		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/694,718

**Applicant(s)**

BLACKMAN, LEE

**Examiner**

THIEN M. LE

**Art Unit**

2887

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 January 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-11 and 13-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 11 and 14-20 is/are rejected.
- 7) ☒ Claim(s) 1-10, 13 and 21 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 October 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

The amendment filed on 1/6/2009 has been entered. Claim 12 has been canceled. Claims 1-10, 13-21 remain for examination.

### ***Drawings***

The drawings are objected to because they need to be renumbered as figure 1, figure 2, figure 3, starting from number 1 accordingly. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance (also see 37 CFR 1.84).

***Specification***

The abstract of the disclosure is objected to because of the objection to the drawings. Correction is required. See MPEP § 608.01(b).

\*\*\* Since applicant is a pro-se, please note to change the specification to reflect the change of the renumbered figures accordingly (changes must be underlined, the deletion must be bracketed, a "clean copy" of the change and the "annotated version" must be submitted: (i) clean copy is for administrative purposes, patent printing, etc.; (ii) annotated version is for reviewing purposes.)

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 11 and 14-20 rejected as failing to define the invention in the manner required by 35 U.S.C. 112, second paragraph.

The claim(s) are narrative in form and replete with indefinite and functional or operational language. The structure which goes to make up the device must be clearly and positively specified. The structure must be organized and correlated in such a manner as to present a complete operative device. The claim(s) must be in one sentence form only. Note the format of the claims in the patent(s) cited.

Claims 11 and 14-19 are improper method claims. Applicant is respectfully required to re-draft the method claim. Please note the format of the method claims in the patent cited. (i.e. the format of claim 5 of the 6,636,833 patent – cited previously) and herein presented:

5. A method for implementing a credit card system, the method comprising:

maintaining a pool of credit card numbers which share identical formatting;

assigning at least one credit card number from the pool of credit card numbers to be a limited-use credit card number which is deactivated upon a use-triggered condition which occurs subsequent to assignment of the at least one credit card number; associating a master account number with the limited-use credit card number, while ensuring that the master account number cannot be discovered on the basis of the limited-use credit card number;

determining whether to deactivate the limited-use credit card number when the limited-use credit card number was used to perform a transaction, and for generating a deactivation command in response thereto, wherein the determining step of whether to deactivate the limited-use credit card number determines whether a limited-use event pertaining to the use of the limited-use credit card number has occurred, and if so, generates the deactivation command when the limited-use event has occurred; and

deactivating the limited-use credit card number based on the deactivation command wherein the limited-use credit card number is valid for a number of payments for a transaction with a single merchant.

For the same reason, claim 20 is not a proper apparatus. Please also see the format of apparatus claims 1 in the '833 patent. The claim is herein presented for further reviews:

1. A credit card system, comprising:

means for maintaining a pool of credit card numbers which share identical formatting;

means for assigning at least one credit card number from said pool of credit card numbers to be a master credit card number;

means for assigning at least one credit card number from said pool of credit card numbers to be a limited-use credit card number which is deactivated upon a use-triggered condition which occurs subsequent to assignment of said at least one credit card number;

means for associating said master credit card number with said limited-use credit card number, while ensuring that said master credit card number cannot be discovered on the basis of said limited-use credit card number;

means for determining whether to deactivate the limited-use credit card number when said limited-use credit card number was used to perform a transaction, and for generating a deactivation command in response thereto, wherein said means for determining whether to deactivate the limited-use credit card number determines whether a limited-use event pertaining to the use of the limited-use credit card number has occurred, and if so, generates said deactivation command when said limited-use event has occurred;

and means for deactivating the limited-use credit card number based on the deactivation command wherein said limited-use credit card number is valid for a predetermined number of payments for a transaction with a single merchant.

\*\*\* Please also note to provide both the clean set of the claims and also the annotated set of the claims.

\*\*\* Please also delete the last paragraph following the claim set. The claims are should be separated from the text of the specification. See patent 6,636,833 for example.

***Allowable Subject Matter***

Claims 1-10, 13, and 21 are allowed.

The following is a statement of reasons for the indication of allowable subject matter: The prior art fails to disclose an apparatus for implementing disposable financial tools comprising: (i) disposable financial tools; (ii) a central number (Queen/Q number); (iii) a private network; and having the features, functions and characteristics in the

manner as recited in claim 1. The prior art also fails to disclose the limitations of claims 2-10, 13 and 21.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to THIEN M. LE whose telephone number is (571)272-2396. The examiner can normally be reached on Monday - Friday from 7:30am - 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steve S. Paik can be reached on (571) 272-2404. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Thien M. Le/  
Primary Examiner, Art Unit 2887